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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/748,716 Confirmation No. 5358
Applicant : Sara Elo DEAN et al.
Filed : December 22, 2000
TC/A.U. : 2173
Examiner : Brian J. DETWILER
Docket No. : P0UG920000205US1
Customer No. : 23334

37 C.F.R. 1.131 DECLARATION

I, each and every one of the undersigned inventors of the above-referenced patent application, hereby declare the following:

- 1) Claims 1-9, 11-31, and 33-39 in our above-identified patent application were rejected under 35 U.S.C. §102(e) and claims 10 and 32 were rejected under 35 U.S.C. § 103(a) based on U.S. Patent Publication No. 2002/0085020 A1 to Carroll, Jr., entitled "XML-Based Graphical User Interface Application Development Toolkit" filed on September 14, 2001, with a priority date of September 14, 2000 ("Carroll").
- 2) The invention described in the above-referenced patent application was reduced to a writing prior to the September 14, 2000 priority date of Carroll. In particular, *Franklin Content Management Prototype* documentation (exhibit A), upon which the above referenced patent application was based, is attached herewith. The documentation is a comprehensive specification and Installation of the inventive system (see the table of contents of this document for the full detail) created and used by the inventors prior to the September 14, 2000 priority date of Carroll and demonstrating features of the presently claimed invention. It includes everything from an Installation guide, configuration, setup of the DB and a Franklin workspace for content management, setting up of users, roles, and includes code snippets of communication between components and error codes.
- 3) Additionally, the invention described in the above-referenced patent application was reduced to actual practice prior to the September 14, 2000 priority date of Carroll. Proof of actual reduction to practice upon which the presently claimed invention was based is attached herewith and will be described in detail below.
- 4) Submitted herewith as evidence of actual reduction to practice prior to the September 14, 2000 priority date of Carroll are the following exhibits:
Exhibit B) Assignments passed out to users prior to the September 14, 2000 priority date of Carroll to test users who were evaluating the integration between two systems: the present invention and

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"Kittyhawk" prior to the September 14, 2000 priority date of Carroll. The scenarios ask users to do different actions in the present invention's UI, which would show that there was a running system that could support users prior to the September 14, 2000 priority date of Carroll. The document describes the integration of the two systems, and shows the request/responses part of the communication between the two systems.

Exhibit C) A copy of a State chart of the invention's DB with each possible state of a fragment when stored in the invention's DB. The State chart was created and used by the inventors prior to the September 14, 2000 priority date of Carroll and demonstrates features of the presently claimed invention.

Exhibit D) Copies of HTML pages created by the inventors prior to the September 14, 2000 priority date of Carroll and demonstrating features of the presently claimed invention. The HTML pages describe to users how to install the inventive client and issue commands to manage documents, such as Check in, Check out, review, publish and describes the fragment/servable relationship to users.

Exhibit E) A synthesis of all feedback from a user acceptance testing of the invention, run prior to the September 14, 2000 priority date of Carroll. It includes a list of things users liked and did not like, which evidences that users were using the running end-to-end inventive system with features of the presently claimed invention prior to the September 14, 2000 priority date of Carroll.

Exhibit F) A copy of brief notes identified during a code review of the invention's server code made prior to the September 14, 2000 priority date of Carroll.

Exhibit G) An email correspondence to persons other than the inventors of the present invention, listing the internet address for accessing, and instructions on how to use, the working prototype system created and used by the inventors prior to September 14, 2000 priority date of Carroll and demonstrating features of the presently claimed invention.

Exhibit H) An email correspondence with reviewer feedback on the working prototype system created and used by the inventors prior to the September 14, 2000 priority date of Carroll and demonstrating features of the presently claimed invention.

Exhibit I) Copies of several screenshots of the working prototype system created and used by the inventors prior to September 14, 2000 priority date of Carroll and demonstrating features of the presently claimed invention. These screenshots show lists of XML documents having content objects and content fragments which are named and linked through the entry fields.

Exhibit J) A copy of a section of the source code file that was created and

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used by the inventors prior to September 14, 2000 priority date of Carroll and that implemented part of a working prototype system that performed features of the presently claimed invention.

5) The evidence submitted herewith supports the reduction to practice. The following table is submitted to show how each claim element is supported and that the test results unequivocally establish this software existed and worked for its intended purpose.

Claim 1 is an example. The other independent claims (18, 23, & 39) recite identical limitations.

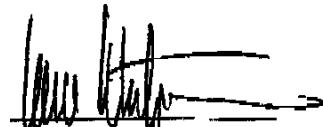
Claim 1: A method on an information processing unit for performing steps for assembling, with a user interface (UI), a document that conforms to a particular document type definition, the method comprising:

receiving a user selection for a document type	Exhibit B, page 3, step 2.3, describes the step of creating the appropriate fragment.
selecting one of a plurality of document type definition types based upon the document type received;	Exhibit A, pages 9-10 is the definition process of a typical DTD; step 6 refers to attributes of user input needed, e.g. "string" or "longtext"; and Exhibit A, page 13-14, shows an example of a servable DTD.
parsing one or more of a plurality of elements in the document type definition type selected;	Exhibit A shows the plurality of elements in a DTD. Pages 9-10 refer to the UI types, ie, requirements for user input and Pages 13-14 show an example of a servable DTD.
mapping each of the plurality of elements to one or more interface controls;	Exhibit A—The mapping from a DTD DATATYPE to Java widget control—is shown on page 25. Pages 9-10, step 6, item 5, shows how lists of elements could be specified. Page 12 illustrates the description of a UTYPE that produces a file browser.
presenting a UI editor by assembling the one or more interface controls so that the presentation of the UI editor is free from specific document type definition syntax;	Exhibit I: (image resource) and (image fragment) show the results of assembling the interface controls. The Images shown in exhibit I are actual screen shots of that represented in FIGs. 9 and 8 of the instant application. The specific syntax of XML is hidden from the user/editor thus simplifying the interface.

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receiving a user input for content objects that are associated with the interface controls; and	Exhibit B: page 3, scenario 1 and 2, Evaluation of Franklin & Kittyhawk describes how the user creates a fragment and a servable from the user interface widgets that were created.
aggregating the content objects associated with the interface controls to assemble a document that conforms to the document type definition type selected.	Exhibit A: page 43 describes the page assembler that aggregates the content from multiple xml documents and creates the HTML using XSL stylesheets.

We, the undersigned, declare all of the above statements are made on our own knowledge, the above statements are true and correct, and the above statements are made on information that we believe to be true. We understand that false statements or concealment in obtaining a patent will subject us to fine and/or imprisonment or both (18 U.S.C. §1001) and may jeopardize the validity of the above identified patent application or any application issuing therefrom.



Louis WEITZMAN

May 1, 2006

Sara ELO DEAN

May __, 2006

Dikran S. MELIKSETIAN

May __, 2006

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Exhibit C) A copy of a State chart of the invention's DB with each possible state of a fragment when stored in the invention's DB. The State chart was created and used by the inventors prior to the September 14, 2000 priority date of Carroll and demonstrates features of the presently claimed invention.

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Claim1 is an example. The other independent claims (18, 23, & 39) recite identical limitations.

Claim 1: A method on an information processing unit for performing steps for assembling, with a user interface (UI), a document that conforms to a particular document type definition, the method comprising:

receiving a user selection for a document type	Exhibit B, page 3, step 2.3, describes the step of creating the appropriate fragment.
selecting one of a plurality of document type definition types based upon the document type received;	Exhibit A, pages 9-10 is the definition process of a typical DTD; step 6 refers to attributes of user input needed, e.g. "string" or "longtext"; and Exhibit A, page 13-14, shows an example of a servable DTD.
parsing one or more of a plurality of elements in the document type definition type selected;	Exhibit A shows the plurality of elements in a DTD. Pages 9-10 refer to the UI types, ie, requirements for user input and Pages 13-14 show an example of a servable DTD.
mapping each of the plurality of elements to one or more interface controls;	Exhibit A—The mapping from a DTD DATATYPE to Java widget control—is shown on page 25. Pages 9-10, step 6, item 5, shows how lists of elements could be specified. Page 12 illustrates the description of a UITYPE that produces a file browser.
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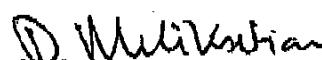
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